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February 14, 2024

BY ECF

Honorable Dale Ho
United States District Court
Southern District of New York
New York, New York 10007 -1312

Re: United States v. Kelly, 23 Cr. 113 (DEH)

Hon. Judge Ho,

I write to the Court to request a short adjournment of the due date of the *motions in limine*. I have been unexpectedly engaged on classified hearings on the case of *United States v. Juan Orlando Hernandez*, 15 Cr. 379 (PKC). The schedule for the CIPA § 6 (a) hearing was only scheduled on Sunday, February 11, 2024, and these hearings followed unexpected developments in the classified portion of the case. I am the only un-cleared lawyer on the case.

For this reason, I ask for a short continuance of the motion schedule and ask the court allow Mr. Kelly's *in limine* motions be submitted by Monday, February 19, 2024.

The *in limine* motions would address the admissibility of cell site location information; Mr. Kelly's prior criminal history; and its admissibility at trial to show that the precinct targeted him as he had filed a civil law suit against them. Mr. Kelly would also seek to admit the civil law suit be initiated as evidence at trial.

I apologize for any inconvenience caused by this request.

Respectfully submitted,

/s/Sabrina P. Shroff
Cleared Counsel to Juan Orlando Hernandez

Application GRANTED.

Motions due 2/19/2024. Oppositions due 2/23/2024.
Replies remain due 2/28/2024. The Clerk of Court
is respectfully directed to terminate ECF No. 89.

SO ORDERED.



Dale E. Ho
U.S. District Judge
Dated: February 15, 2024
New York, New York